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# USSR Report

HUMAN RESOURCES

(FOUO 5/82)



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DEMOGRAPHY

NEW BOOK DISCUSSES SOVIET LAW AND CURRENT DEMOGRAPHIC TRENDS

Moscow PRAVO I DEMOGRAFICHESKIYE PROTSSESY V SSSR in Russian 1981 pp 137-184

/Chapter 4, Migration and Labor Resources, from "Law and Demographic Processes in the USSR," by Galina Il'inichna Litvinova, Izdatel'stvo Nauka/

/Text/ The legal norms which affect migration belong to a significant degree to the norms of direct action. It is in this regard that they differ from the legal norms which affect the birth and death rates, where the effect of the law is mainly indirect.

As processes which are purely social in nature, the migratory processes depend on the individual person: this cannot be said about the death rate, the human life span and the natural but not the physical movement of the population. For this reason there is with regard to the migratory processes much greater ground for talking about their regulability than there is when talking about other demographic processes.

Migration is defined as the territorial movement of the population, as well as social mobility, the movement from one social group into another.

The territorial relocation of individuals can take place within a country (intra-state migration) or between countries (inter-state migration). Intra-state migration is regulated only by the legal norms of a given state, while external migration is regulated by the norms of international law and of the laws of the countries from which the emigrants depart and the immigrants arrive. In contrast with migration within a state, external migration often brings with it a change in citizenship; the balance of external migration (i.e., the difference between the size of the arriving and departing population) influences the changing of the magnitude and composition of the population not only of a given rayon but also of the nation as a whole.

Migration is a complex social phenomenon, which is conditioned by political, economic, legal, natural, psychological, demographic, ethnographic and other factors. It influences substantially the economic, socio-cultural and socio-political life of the state and constitutes an important component of its socioeconomic development.

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Migration changes the distribution of production forces, and without it the development of new regions of the country would be impossible. In many respects migration predetermines the success of industrialization; it facilitates significant changes in the social structure of society--the growth of the working class, for example, is ensured to a significant degree by the flow of migration from the countryside to the city. Migration contributes to the exchange of labor skills and production experience, to the improvement in the welfare and cultural level of the population and to the development of personality.

Migration influences the age and sex structure of the corresponding region and through it the marriage and birth rates.

Migration plays a great role in bringing together the socialist nationalities. As a result of migration there is a mixing of the national composition of the residents in the republics, and this leads to mutual cultural enrichment of the nationalities and ethnic groups, as well as to the strengthening and development of internationalism.

Migration of the population from one republic to another influences the size as well as the national and social composition of the population in a union or autonomous republic, and it also influences the degree to which the republic is supplied with labor resources and the turnover or stability of the personnel.

In this way the migratory processes exert a substantial influence on the economic, political, social and demographic development of the Union of Soviet Socialist Republics and the republics which comprise it, and on the geography of industry.

V.I. Lenin considered the movement of the population to be a progressive phenomenon which contributes to the economic development of the state and the individual. He wrote: "The migration of workers not only provides 'purely economic' advantages to the workers themselves but it must also be recognized as a progressive phenomenon... Unless mobility of the population is established, there cannot be population development, and it would be naive to think that any kind of rural school can provide people with what they can get from actual acquaintance with different relations and procedures both in the south and in the north, in agriculture and in industry, in the capital and in out-of-the-way places."<sup>1</sup>

Under the influence of a number of circumstances a person organizes and carries out his migratory behavior by himself. But in turn, the act of migration, or resettlement, exerts a substantial influence on the person. The influence of migration on an individual is mainly positive; however, it is not certain. As is well known, by no means all newcomers adapt easily to the new place; resettlement frequently brings with it changes in life style; ties with friends and relatives are broken and difficulties in becoming acclimatized arise. The social adaptation of the newcomer does not always take place painlessly. Criminologists have established the fact that there is a link between migration and crime: the higher the percentage of newcomers in a region, the higher the rate of crime.<sup>2</sup>

In the same way the migration processes themselves cannot be viewed from one side alone. It should be acknowledged that in the last 20 years the rate of activity and the direction of migration both within and between republics has become

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less and less rational in nature. Demographers have been directing attention to the serious inadequacies of present-day migration in the RSFSR: the hypertrophied growth of population in the larger cities, the excessively large number of people, especially young people, leaving the countryside for the city and the excessive movement of population away from the RSFSR to other republics.<sup>3</sup>

Socialist society has at its disposal enormous potential for rationalizing migratory processes, strengthening their positive and weakening their negative consequences.

In the USSR an important influence on the migratory movement of the population, both social as well as territorial, is exerted by the constitutional right of citizens to labor; under developed socialism this right is interpreted more broadly than before, specifically as a right to obtain guaranteed work for payment in accordance with its quantity and quality, including the right to choose a trade or type of occupation and work according to his calling, capabilities, vocational training and education (Article 40 of the USSR Constitution).

The absence of unemployment under socialism sharply differentiates migration in the USSR from migration in the capitalist countries, where the migrants most often move for one purpose--to find work.

The social mobility of USSR citizens is ensured by the following:

the abolition of all privileges and limitations as declared by the first decrees of the Soviet state<sup>4</sup>;

the constitutional principle of equality of all citizens before the law;

the equality of citizens' labor rights regardless of sex, nationality, race or religion;

the constitutional right to education, including free, specialized education at all levels including the tertiary level.

widespread opportunity for improving labor qualifications and for receiving instructions in new specialities;

the freedom, guaranteed by the constitution, of scientific, technical and artistic work;

the right to elect and be elected to the soviets of people's deputies and to other elective state organs;

the possession by citizens of all the rights--socio-economic, political and personal rights--declared and guaranteed by the USSR Constitution and by Soviet laws.

All this provides the basis for the broad freedom to choose one's trade or type of occupation and ensures that citizens have great social mobility, and this has particular significance under conditions of the scientific-technical revolution.

The opportunities granted by Soviet legislation for great social mobility are broadly realized under socialism: yesterday's kolkhoz member may become today a worker or a state official, a worker may become an engineer or a scholar, etc.

The territorial and social mobility of the USSR population is a factor which is fundamental to the growth of the industrial population at the expense of the agricultural population and of the urban population at the expense of the rural. Nearly half of the increase in the country's urban population is provided by emigrants from the village.

A high rate of migrational mobility was characteristic of prerevolutionary Russia although for social and religious motives tsarist legislation limited the movement of certain categories of citizens: for example, the Pale of Settlement was established for Jews, and they were allowed to travel outside it only under special circumstances.

Migration to Siberia was especially intense. Its enormous expanses were the destination first of fugitive landlord-peasants, and then after the abolition of serfdom, of landless peasants who gathered large land allotments in the sparsely-settled outskirts of Russia.

Historian D.L. Mordvinov, who studied the history of peasant migration in the last century, wrote: "It has been noted that the Russian people, despite the settled nature which is characteristic of an agricultural country, has a tendency toward the wandering life and that without any apparent reasons the Russian will abandon his Homeland and go to look for something in a foreign part. But this lack of sociability, it seems, lies not in the nature of the people, as many others explain, but is rather a consequence of unfavorable historical circumstances. While they note that the Russian easily abandons his native village and the cemetery of his fathers, it should be noted that while abandoning one, he seeks another, better one: 'Ivan, of unknown ancestry, always answers the judge's question on the reason for his flight by saying you don't run from good' and 'let well enough alone!'"<sup>5</sup> D. L. Mordvinov cites examples of peasants, who moved in whole villages and large groups beyond the Volga to Siberia, Central Asia and even beyond the state boundary, specifically to Poland. In response to the foreign exodus of a number of its subjects, the tsarist government organized special detachments which secretly crossed the boundary in order to catch fugitives and return them to Russia.

In his analysis of peasant movements to Siberia, V.I. Lenin emphasized that peasants were moving from the densely populated agricultural provinces, where the vestiges of serfdom were more pronounced and that it was mainly the peasant of average means who was moving.<sup>6</sup> The new settlers included discharged soldiers, Cossacks, representatives of persecuted religious sects, etc.

In addition to voluntary resettlement for the purpose of developing new regions, especially in Siberia, which was encouraged by the granting of certain benefits established by law (tax benefits, etc.), broad use was made of forced resettlement, including administrative resettlement of state peasants, exile of penalized soldiers, the resettlement of military units, dispatch of Cossacks on the basis of drawing lots and the so-called criminal colonization.

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Forced resettlement of political and regular criminals in order to use their labor for colonization of uninhabited regions of Siberia was widely practiced in tsarist Russia. In the 19th century alone, 860,000 people were exiled to Siberia. In the 1897 census, 299,000 exiles were registered, and they constituted 5.2 percent of the population of Siberia.<sup>7</sup>

After the October Revolution the very rich natural resources of Siberia and of the northern and eastern regions of the country remained little-used and sparsely populated. In addition, the most backward national regions of Central Asia were in need of rapid development.<sup>8</sup> The need to develop these expanses determined the large scale migration of the 30's. From 1926 through 1939 approximately 5 million people migrated to Siberia, the Urals, the Far East, Kazakhstan and Central Asia. A specific phenomenon of this period was the emergence of industrial cities in previously uninhabited regions beyond the arctic circle and in areas of the Far East which were not considered suitable for economic development.

Great territorial shifts by the Soviet population were prompted by the beginning of the Great Patriotic War, when more than 25 million people were evacuated by the Soviet government from regions which were under threat of occupation.<sup>9</sup> This resulted in substantial change in the demographic map of the country, in the number and proportion of the population in the union and autonomous republics and in their social and national composition. All the republics became more multinational.

At the present time the CPSU and the Soviet government are undertaking organizational and legal measures to increase migration of the work force to regions of Siberia and the Far East, where a substantial increase in industrial production has been called for by the 11th Five-Year Plan. The 26th CPSU Congress stipulates for these regions a higher rate of construction of industrial-energy complexes, the development of the infrastructure as well as the introduction of wage increases for blue- and white-collar workers who have records of uninterrupted service in the southern regions of the Far East and Eastern Siberia.<sup>10</sup>

The optimization of present-day migratory processes requires improvement in the organizational forms for the management of the territorial redistribution of the population.

Within the system of the Soviet state apparatus there are organs, which carry out the planning, financing and management of the organizational forms of migration. USSR Gosplan and gosplan of the union republics establish the need for manpower and skilled specialists according to regions and branches of the national economy. Until 1976 all questions regarding the use of labor resources were resolved at the republic level.

The recruitment and resettlement of workers was managed by labor committees at the councils of ministers of the union republics; these committees were assigned the responsibility of working with the ministries, agencies and enterprises in developing measures to retrain workers and to redistribute them among enterprises, oblasts and rayons of the country, taking into account the needs of industry.<sup>11</sup> In 1976 the USSR Council of Ministers' State Committee for Labor and Wages was reorganized into the union-republic USSR State Committee for Labor and Social Questions, with the republic state committees on labor subordinate to it.



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In this way a better organizational structure for the "vertical" management of labor resources was created, and it became possible to plan and implement inter-republic distribution and redistribution of manpower and to regulate operationally the fulfillment of the plans from a single union-wide center. At a time when certain republics have a shortage of labor resources and others have an excess, the strengthening of centralization and the expansion of the authority of the national organs in the resolution of issues related to the redistribution of labor resources is wise and economically necessary.

However, it should be said that a certain degree of decentralization is useful in solving specific problems related to the distribution of labor resources. For example, young specialists are placed in jobs by the union-republic Ministry of Higher and Secondary Specialized Education. It is one thing when questions related to the supplying of specialists for small places like Estonia or Kirghizia are resolved by the corresponding ministries of the republics in Tallinn or Frunze, but it is another thing when issues related to supplying an enormous region such as Western Siberia with specialists, including graduates of the Tyumen' VUZ's and tekhnikums, are resolved in Moscow, thousands of kilometers from the region. It goes without saying that with the second alternative the decisions are less frequently the optimal ones. This was correctly noted by the participants in a conference on the comprehensive development of the Western Siberian region; they proposed expanding the jurisdiction of the local soviets in the resolution of issues such as these.<sup>12</sup>

It is essential to coordinate the activities of numerous organizations which require the influx of manpower from the village inasmuch as the individual interests of these organizations and enterprises do not always coincide with the interests of agriculture.

Individual enterprises in certain regions are granted the right to draw manpower from other regions by means of material incentives for resettlement in order to eliminate a deficit of manpower. Plants, factories and construction sites are interested in obtaining from the village, not just manpower, but young people who have secondary and specialized technical education, i.e., the same manpower that the kolkhoz's are interested in.

The ministries and agencies which are responsible for supplying manpower to new construction projects prefer a rapid and "profitable" transfer of skilled manpower from the regions in which labor is in short supply to the training of specialists from regions of surplus labor. Legislation must prevent this practice, especially the organized recruitment of personnel in regions experiencing a shortage of labor resources. Important measures to resolve this problem were set out by the 26th CPSU Congress, which decreed that there must be more training of skilled workers from the local population of the Central Asian republics, especially from among rural youth.<sup>13</sup>

The law is called upon to contribute to the optimization of migratory currents while providing for subjective interest in resettlement. For example, the USSR Council of Ministers adopted a decree on 31 May 1973 "Concerning Resettlement Benefits" in order to facilitate resettlement and to give assistance to newcomers. It set out the legal, bilateral relations between the newcomer and the kolkhoz

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(an enterprise for the production of agricultural products) and established a series of benefits for the newcomers. Families which resettle in kolkhoz s and sovkhoz s are paid a one-time grant of 100 to 300 rubles for the head of the family and 35 to 80 rubles for each member of the family, depending on the territory in which the resettlement takes place.<sup>14</sup>

Large benefits are stipulated for people who relocate to work in the regions of the Far North, which are characterized by difficult weather conditions. The benefits are set out in the 10 February 1960 Ukase of the Presidium of the USSR Supreme Soviet "Concerning Regulation of Benefits for Persons Working in the Regions of the Far North."<sup>15</sup> In order to attract and keep blue- and white-collar personnel in the northern regions of the USSR, these people are given supplements to the monthly wage, and they are granted living space at their place of work while retaining living space in their former place of residence for the entire period that the labor contract is in effect. Actual expenses related to moving the employee and a member of his family to the work area and to the former place of residence are reimbursed. Preferential treatment in the calculation of service length for old age or invalid pension benefits is given: one year of work in the areas of the North is worth one year and six months: old-age pensions are given to men at age 55 and to women at age 50 if they have worked no less than 15 calendar years in the regions of the Far North. The right to additional leave of 18 working days is granted.<sup>16</sup>

Other legal acts, which provide for the organized recruitment of manpower and its movement to specific regions are also in effect.

The legal norms, which regulate migratory processes, can be divided into two types:

- 1) norms which regulate certain aspects of organized migration: such as transfer related to the planned distribution of graduates of various educational institutions; organized recruitment; work transfer; agricultural resettlement. These norms are reflected in such legal acts as the 6 May 1953 decree of the USSR Council of Ministers "Concerning Procedures for Conducting the Organized Recruitment of Workers"<sup>17</sup> and the 19 September 1969 decree "Concerning the Distribution of Persons Who Have Completed Graduate Studies While Taking Leave from Production,"<sup>18</sup> and the Statute Concerning a Procedure for Conducting Job Placement in the RSFSR for Youth Who Have Not Received a Secondary Education, which was confirmed by a decree of the RSFSR Council of Ministers on 21 April 1969<sup>19</sup> and other acts;
- 2) norms which regulate specific migratory streams, which establish their direction and intensity. Norms of this kind include, for example, those established by the 27 March 1954 decree of the USSR Council of Ministers and the CC CPSU "Concerning the Further Improvement in the Country's Grain Production and the Development of Virgin and Fallow Lands."<sup>20</sup>

In addition to the norms which directly influence migration, there are quite a few legal norms whose influence on the migratory movements of the public is mediated by economic, psychological and other factors. The publication of this kind of legal norm does not aim to regulate migration, however, it does have a

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regulatory effect on the public, especially on "unorganized" migrants, who comprise at the present time an absolute majority of the migrants.

The effectiveness of any given legal norms which influence or regulate migration is not characterized by a high degree of stability. While the 30's and 40's saw large streams of migrants moved in an organized manner to the eastern regions of the country, the 50's and especially the 60's and 70's have seen a drop in the role of organized migration. There has been a sharp reduction in the tendency to direct manpower through organized recruitment: in 1951-1955 organized recruitment was responsible for the placement of 2,833,000 people throughout the country, but in 1966-1970 it was responsible for the placement of only 573,000. During the same period agricultural resettlement within the RSFSR declined from 111,000 to 56,000 families.<sup>21</sup>

As a result of the fact that the proportion of unorganized resettlements in present-day migration is growing, organizational measures to regulate migration are beginning to lose their significance and the significance of socio-economic levers is increasing. For this reason direct regulation of migration must be replaced with increasing frequency by indirect measures, and this must be taken into account when working to improve the state and legal management of these socio-demographic processes. These include legal norms, which create beneficial conditions for specific union republics, regions, nationalities or social groups in order to resolve national, economic and other problems. For example, the publication of a legal act concerning increases in purchase prices for any given agricultural products for the purpose of stimulating production growth increases the incomes of producers and reduces the migratory outflow from rural regions which produce the given item, even where there is an excess of manpower and incomplete employment of the rural population.

The improvement in the standard of living of the Soviet people in the USSR as a whole throughout all of its regions has reduced the drawing power of resettlement benefits and influenced the acclimatization rate of the newcomers in the new place; it has also increased the return migratory flow. As a result there has been a slowing down of the growth of population in the country's eastern regions, although the natural increase of the population there is relatively high. There has also been a reduction in the scale and intensity of the migratory streams,<sup>22</sup> and what is most upsetting is the large scale which nonrational migration has assumed.

Streams of migrants are leaving Siberia, the Urals and the Non Black Earth Zone, i.e., the regions, which are experiencing a shortage of labor resources, and they are heading to a significant degree to the republics with superfluous labor resources. The migration in the Central Asian republics is particularly nonrational in terms of its level and direction. The high rate of natural increase in the villages here has already resulted in superfluous manpower, which would be sufficient not only to meet the personnel needs of all the industrial facilities of these republics but also to help in the development of Siberia the Far East and other labor-short regions of the countries. But utilizing this surplus manpower is not so simple. In Tajikistan, for example, where for every 100 people entering pension age during the 11th Five-Year Plan, there are 322 people entering the working age bracket, the local population supplies only 34 percent of the industrial personnel requirements of the republic's major

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facilities. The rest are newcomers, mainly from the labor-short regions of the RSFSR, where for every 100 people leaving the working age bracket there are only 85 entering that bracket.

In his report to the 26th CPSU Congress L.I. Brezhnev said: "In Central Asia, in a number of regions of the Caucasus ... there is a surplus of manpower especially in the countryside. And this means that it is necessary to work more energetically to attract the population of these places to the development of the country's new territories. And, of course, to develop here the production which is necessary for the national economy, and to expand the training of skilled workers of the indigenous nationality, especially rural youth." <sup>24</sup>

All this provides evidence of the timeliness of the work to improve legislation aimed at providing manpower for new construction projects and development areas. The existing legislation establishes additional rights and benefits for those people who move to the development regions, regardless of where they come from: i.e., whether they come from regions which have an acute shortage of labor resources or from regions with a labor surplus. Further, the economic development needs of the rural localities of the Non Black Earth Zone or Central Asia require a different kind of relation to those departing the village. Legislation must stimulate migration from the labor-surplus regions and lower the rate of migrational activity of the population in the labor-deficit regions, i.e., it must regulate migration with consideration for the interests not only of the regions which receive the migratory streams (new construction sites, development regions) but also of the regions from which these people are departing.

The task of the legislation is to contribute to the optimization of the migratory streams, i.e., to bring them into line with the requirements of the socio-economic development of the Union of Soviet Socialist Republics and of each of the constituent republics. This, in turn, presupposes the appearance of factors which influence the intensity and direction of migration and for consideration of them in legal acts.

It should be said that there is no unanimity of opinion among scholars who are studying the reasons for migration. A multitude of reasons are given, including some which are most unsuitable: For example, O. Atamirzayev and A. Atakuziyev claim: "The traditionally weak territorial mobility of the local population is a specific feature of the demographic development of Central Asia."<sup>25</sup> Former nomads are described as having "traditionally weak territorial mobility?"

There is a widely held opinion that the main reason for the weak migratory activity of the Central Asian population is the fact that the natives of the Central Asian republics have an inadequate mastery of the Russian language. Without denying the dependence of migratory activity on the level of knowledge of the Russian language, primary or decisive significance should not be given to this factor. In recent years (60's--70's) the number of scientific workers, candidates and doctors of science in Central Asia has increased primarily among the indigenous population. But does a scientific occupation require any less knowledge of the Russian language than work in industry, where the number of workers is increasing mainly as a result of newcomers?

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The first profound analysis of the reasons and factors in migration was carried out at the end of the last century by V.I. Lenin in the work "The Development of Capitalism in Russia," where migratory processes were viewed against an enormous multi-faceted body of factual material; Lenin revealed the patterns evident in these processes, their dependence on socio-economic factors and the influence of migration on the individual.

V.I. Lenin saw the main reason for resettlement in the various socio-economic conditions at the place of departure and the place of settlement. "Workers flee... from 'semi-free' labor to free labor. It would be a mistake to think that this flight amounts exclusively to a movement from a densely populated to a sparsely populated place....Workers leave some places in such large numbers that a shortage of workers results in these places, a shortage which is eased by the arrival of workers from other places... the departure of workers expresses the aspirations of workers to go where conditions are better. This aspiration will become completely comprehensible to us if we recall that in the region of emigration, a region in which people pay their debts with work, the wages of rural workers are especially low, while in the region of immigration... wages are incomparably higher."<sup>26</sup>

Thus V.I. Lenin saw the reasons for migration primarily in the socio-economic conditions of the life of the population in the various regions. V.I. Lenin came to this conclusion while analyzing the migration of the population against the general background of the socio-economic position of the state; he proceeded from the premise that the migratory processes of a specific region cannot be understood without taking into account the migration of the population, the reasons and factors in other regions and in the state as a whole. These Leninist tenets have not lost their theoretical and practical significance in our times, despite the fundamental socio-economic transformations which have taken place in the state.

The 26th CPSU Congress emphasized the need to even out social differences on a territorial scale and directed attention to the fact that the cultural and living conditions of people's lives are not the same in the various regions of the country. And it is precisely these differences which frequently complicate the situation with regard to labor resources in a number of places. The implementation of a program to develop Western Siberia, the BAM (Baykal-Amur Mainline) zone and other places in the eastern part of the country has increased the flow of population to these areas. However, people frequently prefer to go from north to south and from east to west, although the rational distribution of production forces requires movement in the opposite direction.<sup>27</sup>

"It is sometimes claimed," L.I. Brezhnev says in his report to the 26th CPSU Congress, "that it is sufficient to increase wage supplements in Siberia, in the Far East and in the northern regions and people will not leave these places. Supplements, of course, are necessary. However, the problem cannot be solved in this manner alone. A person leaves, let us say, Siberia, most often not because he doesn't like the climate or the wages are too low but because it is more difficult to find accommodation there or to put his child in a kindergarten or because there are few cultural centers. That is why we are planning to speed up construction of living space and of the entire socio-cultural complex in

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these regions during the current five-year plan, as well as improve the supply of consumer goods to the population here."<sup>28</sup>

In recent years a number of works have appeared which contain a serious analysis of migratory processes, their causes and factors, with consideration for Leninist ideas. The following authors have written works which should be included in this category: T.I. Zaslavskaya, V.I. Perevedentsev and L.L. Rybakovskiy, etc.<sup>29</sup>

A majority of scholars correctly believe that the migratory currents, their direction and intensity are determined primarily by inter-regional differences in the conditions of life and labor.

The passport and residence permit system is an important administrative-legal regulator of migration. In this regard, the universal provision of passports to the USSR population should contribute to the optimization of migratory currents. Previously, a rural resident's desire to obtain a passport could be satisfied, as a rule, only if he moved to a city.

Contradictions between the individual's developmental level or needs and the conditions for meeting these needs in a given location exert a large influence on the migratory behavior of citizens.

Among other factors which, while influencing the level of comfort, the state of health and the intensity of labor, affect migration, one can name natural-climatic demographic (age-sex structure of the population in a given region), communication (knowledge of Russian as the language of intercourse between nationalities), ethnic, psychological and other factors.

T.I. Zaslavskaya proposes dividing all the factors which influence the migration of the rural population into three groups, taking as the basis the degree of their governability: 1) ungovernable natural-geographic factors-conditions; 2) directly ungovernable, but indirectly regulable factors-conditions--demographic, social, ethnic, social-psychological; 3) directly regulable factors-regulators, which include regional differences in the level of prices for goods and services, the differences in wages and other sources of income, the volume of the housing stock, the condition and services provided to buildings, the size of capital investment, etc.<sup>30</sup> It is thought that this kind of classification of migration factors according to the degree of governability could well be applied not only to migration of the rural population but also to migration in general.

The law may influence most effectively the third group of factors. However, legal norms influence the second and even the first group. Specifically, the labor, pension and other benefits which are granted to people who work in regions with unfavorable climatic conditions may lessen the negative effect of climatic factors.

The measures established by law to increase the welfare of the Soviet people (increases in wages, pension and labor benefits, etc.) are sometimes introduced not to the entire country all at once, but rather stage by stage, beginning with the regions having the most unfavorable climate. It would be advisable to strengthen the effect of this principle in law for the purpose of optimizing migration.

A comparative analysis of the indicators of the population's living standards in various areas, as well as an analysis of the direction and intensity of migratory outflow and influx makes it possible to establish the following pattern: territories which lose population because the number of those departing exceeds the number of those arriving are inferior in terms of all indicators for living standards to those territories which have a positive balance of migration. In those union republics which have a reduced intensity of migration the average size of deposits to savings banks, trade turnover and the volume of household services is 25 percent greater than in republics which have a higher intensity of population migration. Within the framework of the largest union republic, the RSFSR, this pattern is easily traced on a regional scale: in Western Siberia, which is losing population, all of the main indicators for the standard of living are lower than in the Far East, which has a positive balance of migration.<sup>31</sup>

In comparing the income of kolkhoz members of the Non Black Earth Zone in the postwar decade with the rate of the migratory exodus from the village, a clear inverse relationship can be established: the lower the income, the higher the rate of departure. The extremely high emigration rate has led in the final analysis to the depopulation of this region. The need for effective legal and economic measures aimed at improving conditions in the Non Black Earth Zone became obvious. An important role in the solution of this problem was played by the decree of the CC CPSU and the USSR Council of Ministers "Concerning Measures for the Further Development of Agriculture in the Non Black Earth Zone of the RSFSR," which stipulated a series of serious economic and legal measures, aimed at ensuring a high rate of agricultural development in the Non Black Earth Zone and its infrastructure.<sup>32</sup>

Improving conditions in the Non Black Earth Zone, and especially improving the demographic situation, requires improvements not only in the legislation but also in the socio-economic policies with regard to the given region. This was given serious attention in the decisions of the 26th CPSU Congress. The congress emphasized the need for the Non Black Earth Zone of the RSFSR to carry out as rapidly as possible the construction of residential buildings, roads for cars, social and cultural facilities and other public buildings.

The migratory activity of the population differs to a significant degree along ethno-national lines.

The Russians, Belorussians, Ukrainians and the peoples of the Soviet Baltic republics have the highest rates of migratory activity and the peoples of Central Asia and the Caucasus have the lowest rates. There is a five-fold difference in the highest indicator of migratory activity (Russians with 6.7 percent) and the lowest (1.3 percent among the Turkmenians and Uzbeks).<sup>34</sup>

An analysis of the 1959, 1970 and 1979 census figures shows that a certain tendency can be detected toward a change in the national structure of the population in the union republics, a change in the direction of strengthening "national linkage." In the majority of the union and autonomous republics there has been an increase in the proportion of people of indigenous nationality. This process is explained not only by differences in the natural increase in the indigenous and non-indigenous population, but also to a certain degree by the nature of the migration.

Among a majority of the indigenous nationalities there has been a reduction in the proportion of persons residing outside "their own" republic. For example, during the period between the two population censuses (1959-1970), the proportion of Armenians residing outside the Armenian SSR fell from 56 to 38 percent.<sup>35</sup>

The desire to live in one's own republic can clearly be explained by a number of reasons as well as by the fact that representatives of the indigenous nationality find it easier to improve their social status.\* In nearly all the union republics the proportion of people of indigenous nationality among undergraduate and graduate students, scientific personnel, specialists with higher education, management level personnel, as well as among deputies of the Supreme Soviet of the union republic has become greater than in the population at large, and the proportion of the population of nonindigenous nationality has become smaller. At the same time the portion of nonindigenous population among industrial workers has become significantly greater than in the population at large and the proportion of the indigenous population has become smaller. The RSFSR constitutes an exception; here the proportion of indigenous nationality among industrial workers is greater than in the population at large.<sup>36</sup>

The 26th CPSU Congress noted that the developmental dynamics of a large multinational state like the USSR give rise to many problems which require the careful attention of the party. The composition of the population in the union republics is multinational. "It is natural," emphasized L.I. Brezhnev, "that all the national groups have a right to the necessary representation in their party and state organs, given, it goes without saying, strict consideration of the ability and the ideological-moral qualities of each person. In recent years there has been a significant increase in the number of citizens of nonindigenous nationality in a number of republics. These people have their own specific needs in the area of language, culture and daily life. The central committees of the communist parties of the republics, as well as the kraykoms and obkoms must delve more deeply into these issues and propose ways to resolve them in good time."<sup>37</sup>

The regulation of migration is carried out both on the national scale of the USSR as well as within the framework of the union republics. The comprehensive management of a territory, including its social and demographic development, can be easily provided for within the framework of a union republic which is small in area and population such as the republics of the Caucasus, Central Asia, and the Soviet Baltic area. But as for the RSFSR and the Ukrainian SSR with their complex demographic situation, their example shows the need for the reorganization of territorial management, in order that territories which are equivalent in their demographic and socio-economic characteristics have equal rights in resolving issues of demographic and socio-economic development. It would seem that in this regard the Western Siberian economic region, and especially the Non Black Earth Zone, should have much more, but certainly no less right than, for example, such union republics as Kirghizia, Estonia and others. Incidentally, these regions do not have their own territorial administration. This, clearly, is one of the results of

\* As sociological studies have shown, when young people born of mixed marriages choose their nationality, they prefer the indigenous one, linking this to opportunities for social growth. See SOV. ETHNOGRAFIYA, 1969, No 5, p 84.



the fact that management of the enormous territory of the RSFSR is far from perfect. Concentrating the management of a broad range of problems at the very top of such a large republic as the RSFSR obviously has exhausted itself to a very significant degree.

The 26th CPSU Congress emphasized that the organizational structures of government will not tolerate stagnation. They must be brought into line with changing economic tasks.<sup>38</sup>

The optimization of migration is the process of reducing demographic expenses to obtain a balance of migration,<sup>39</sup> which is in accordance with the planned requirements of the national economy. The effective management of migration processes for purposes of optimizing them depends on the comprehensive consideration of factors which influence migration, not only in the legal norms, and the solution of organizational issues, but also in the conduct of socio-economic and national policy of the Soviet state.

In the light of what has been said, there is merit in the proposal of V.I. Perevedentsev concerning the need to develop indexes for the standard of living and indexes for the living conditions of the population.<sup>40</sup> Legal acts concerning benefits for people working in certain regions must be applied with consideration for these indexes, which should be calculated regularly for various territories.

The decisions of the 26th CPSU Congress make it mandatory for the planning organs to stipulate top-priority, preferential construction of living space in regions with a shortage of labor resources. Implementation of these decisions requires expansion of labor benefits and wage supplements in places with inadequate labor resources; determined consistency in the introduction of labor, housing, pension and other benefits and the increasing of wages according to regions, taking into account the local demographic situation; it also requires regional adjustment of purchase price policy, tax and budget policy, etc. Further, the greater the labor shortage in a region, the better will be the living conditions of the people there; the greater the inadequacies of the village's labor supply, the faster will the village approach the city in terms of standard and conditions of life; in labor-short regions the infrastructure must be developed at an accelerated rate, etc.

The implementation of the 26th CPSU Congress decisions undoubtedly will contribute to the rationalization of migratory flow.

In addition to the above-named measures aimed at regulating migration in various regions, the congress set down a number of general tasks, the solution of which will contribute to the optimization of migratory processes on a national scale of the entire USSR. They include:

overcoming the substantial differences between the city and the countryside, bringing the labor payments of kolkhoz members closer to the wages of blue- and white-collar workers;

improving the life of the population in all republics and rayons of the country; balancing the existing and newly created jobs for workers with labor resources;

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ensuring fuller satisfaction of the population's needs in the newly developed regions with difficult natural conditions;

improving the regional regulation of wage.<sup>41</sup>

2. The effect of the law on labor resources

In his report to the 26th CPSU Congress L.I. Brezhnev says: "In the 80's an attitude of thrift and economy toward labor resources is acquiring particular significance. This is a complex matter requiring the resolution of many problems of an economic, technical, social and educational nature."<sup>42</sup>

The problem of labor resources has a great multitude of aspects, including legal ones. Suffice it to say that a whole branch of law, labor law, is devoted to aspects of labor resources; they also come under legislative systems concerning social insurance, social maintenance, health care, etc.

The examination here will consider mostly those aspects of the problem of labor resources which are linked to one degree or another with demographic processes; further, most of the attention will be devoted to issues for which the theoretical and practical solution do not seem to be optimal. The link between labor resource problems and migratory processes was studied above; for this reason primary attention will be given to its links with other demographic characteristics of the population: the birth rate, the age-sex structure, etc., as well as the possible legal effect on the optimization of quantitative and--in a lesser measure--qualitative characteristics of labor resources.

The primary labor rights and obligations of citizens have found their embodiment and further development in the Constitution of the USSR, the constitutions of the union and autonomous republics, which contain a number of articles relating to the legal regulation of this issue. The Soviet Constitution, which is a genuine manifesto of liberated labor, guarantees to all citizens the right to work, rewarded in accordance with its quantity and quality, the right to choose a trade, occupation or job in accordance with one's vocation, abilities and vocational training and education (Article 40). This right is ensured by the socialist system of economic management, by the steady growth of production forces, by free vocational instruction, by increases in labor skills and the instruction for new specialists, and by the development of a system of vocational orientation and job placement. The citizens' right to work is matched by their corresponding obligation to labor conscientiously in their chosen area. According to the constitution, evasion of socially useful labor is incompatible with the principles of socialist society (Article 60).

The constitution declares that the Soviet state concerns itself with improving the conditions and protection of labor, with reducing and eventually eliminating heavy physical labor (Article 21); it contributes to the erasing of differences between mental and physical labor (Article 19); it sets as its goal the expansion of real opportunities for applying the creative forces, abilities and gifts of its citizens for the all-around development of the personality (Article 20); it carries out a policy of increasing wages and real incomes of working people on the basis of labor productivity (Article 23).

The constitution guarantees suitable working conditions and the right to rest, which is ensured by a work week which is not to exceed 41 hours, by paid vacations which are granted annually, etc. (Article 41). The right to rest, health care and housing create optimal opportunities to restore the ability of citizens to work and facilitate their active labor.

Labor legislation, in particular the Foundations of Legislation Concerning Labor and the labor Code, exerts a legal influence on people in order to serve the interests of production, specifically, it contributes to the growth of labor productivity, to the growth in the effectiveness of public production, and to the strengthening of labor discipline. It also serves the interests of the employee by establishing a high level of working conditions, comprehensive protection of the labor rights of blue-and white-collar workers.<sup>43</sup> For example, Article 53 of the Foundations of Legislation Concerning Labor and the corresponding articles in the labor codes place upon the administration the responsibility for organizing correctly the labor of blue-and white-collar employees, of creating all the conditions for the growth of labor productivity, for ensuring labor and production discipline and for improving the conditions of labor and everyday life.

The rational use of labor resources is ensured by practically the entire system of labor law norms, which are aimed at increasing labor productivity, strengthening labor discipline and struggling against losses of work time.

The socialist economic system possesses all the necessary preconditions for the most complete and effective use of society's labor potential. In the years of Soviet authority there has been a fundamental change in the composition and quality of labor resources; there has been a dramatic rise in the level of their education, both general and specialized, i.e., the level of vocational skills. Unemployment was eliminated and the level of employment, especially of women, has increased. The conditions of labor and its legal protection have changed unrecognizably. At present the Soviet Union is one of those countries which have a low rate of industrial injuries. The legal position of the working person has become completely different--he is the master of his own country who possesses all rights and participates in the management of the affairs of state, society and the labor collective.

At the same time new problems of labor resources have appeared; the 25th and 26th CPSU congresses have pointed out that these problems have become worse.<sup>44</sup>

In the 11th Five-Year Plan the growth of labor resources in the Soviet Union is slowing down somewhat, and in the subsequent period it will even be reduced over a large area of the country.

This can be explained mainly by the fact that beginning in the 80's the working age population will receive reinforcements from young people born in the 60's and the following years, and their generation, as is well known, is characterized by a low birth rate.

However, while the birthrate in the USSR as a whole has dropped, it has increased in a number of republics; while the increase in the population in certain republics has been reduced, it is growing in others, intensifying the problem of labor

resources, inasmuch as their natural increase is especially high in the republics with surplus labor resources and extremely low in the republics with a labor deficit. Table 2 show the dynamics of the birthrate for three five-year plans (the republics are in descending order for this indicator for the period 1970-1974).

Table 2  
Average Annual indicators for Birthrate of the Population in the Union Republics  
(The level for 1955-1959 = 100)\*

Republic	1960-1964	1965-1969	1970-1974
USSR as a whole	96	81	85
Tajik SSR	126	157	185
Uzbek SSR	122	132	154
Turkmenian SSR	121	126	140
Kirghiz SSR	118	124	140
Estonian SSR	100	96	110
Latvian SSR	102	94	102
Azerbaijan SSR	121	113	101
Kazakh SSR	111	97	100
Georgian SSR	107	96	95
Lithuanian SSR	103	93	93
Armenian SSR	106	89	89
Moldavian SSR	95	82	88
Ukrainian SSR	91	83	87
Belorussian SSR	91	74	73
RSFSR	88	67	71

\*Source: Ryabushkin, T.V., Dadashev, A. Z. "Trudovyye resursy: effektivnost' ispol'zovaniya" (Labor Resources: Utilization Effectiveness), Moscow, 1977, p 12.

The same number of labor resources can have differing labor potential, depending on the sex-age structure and vocational-skill parameters. In the republics with a low birthrate the proportion of people in pre-work and working age is falling and the proportion of pre-pension and pension age people is rising. This is reflected not only in the intensity of labor, but also in the loads which the non-working population impose on the working population, on the needed increases in the social consumption funds. The differences in these indicators for the various republics continue to grow.

The low birthrate in the large cities, especially in Moscow and Leningrad, is the cause of a constant shortage of labor resources. The shortage is made up by migrants, the so-called limited ones; the growth in their numbers creates a number of additional problems of housing, as well as legal problems. All this is evidence that without careful consideration of demographic characteristics of the population it is impossible to compile plans for the economic and social development of the Soviet state, for elaboration and confirmation of the Law Concerning the State Budget and a number of other legal acts.

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A reduction in the rate of natural increase of labor resources and the worsening labor shortage over most of the USSR, especially in the RSFSR, resulting from the reduction in the birthrate, non-rational migration, the growth in the number and proportion of pensioners and work-aged persons who are studying, the reduction in the work week, the increases in vacation time\* etc. require a search for additional sources of manpower, and the development of organizational and legal measures to reduce the shortage of labor resources.

To these measures may be added measures aimed at: 1) increasing the natural accretion of labor resources; 2) changing legislatively the limits of the working age; 3) development of legislation which contributes to bringing into public production pension-aged people, as well as people engaged in housework (in republics where the proportion of such people is high); 4) optimization of migration; 5) reduction of manpower needs and more rational utilization of manpower.

Just as the fall of the birthrate in the 60's will be reflected in the size of labor resources in the 80's, the birthrate of the generation which is currently in its maturity determines the growth of population size and the labor potential which our state will have in 15-20 years. This is one more reminder of the close ties between various demographic features of the population.

The fundamental means of legal influence on the natural increase of labor resources in the future can be found in a system of legal and economic measures which stimulate the birthrate over most of the territory of the USSR, and especially in the republics which have an extremely low birthrate and a large deficit of labor resources (RSFSR, the Ukraine, Latvia). The top-priority implementation of such measures in regions with a low natural increase in population will be in line with the decisions of the 26th CPSU Congress concerning incentives for raising the birthrate, taking into account the demographic situation of the region.<sup>45</sup>

Expanding the rights of working mothers by granting them additional leave for pregnancy, childbirth and care of minor children, as well as expanding the right to work part-time, etc. undoubtedly will intensify the problem of labor resources today, but without these measures the labor shortage of the future cannot be eliminated.

The female work force is not merely one component of the labor resources, it is a special part of them. This circumstance requires reflection in the law concerning the foundations of economic and social planning, as well as in the plans for economic and social development. At the present time the planning organs do not compile special plans for the utilization of women's labor. It would seem that it is essential to plan the use of women's labor in the national economy in order to ensure the most rational possible distribution of workers within and among economic sectors.

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\*In the last 20 years the average work week in industry has been reduced by 7,8 hours; leave time has been increased by 2,4 working days, and paid maternity leave for women has been increased by 35 calendar days. As a result of these socio-legal measures the annual fund of working time in industry alone has been reduced by nearly 1 million man years. See: Ryabushkin, T.V., Dadashev, A.Z. "Ukas, soch.," p 12.

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Of course, certain difficulties arise when planning women's labor. This is expressed primarily in the fact that one can speak only conditionally about the need for women's labor in individual production processes, inasmuch as production does not does not experience a specific demand for women workers in the majority of cases. For this reason the task of planning women's labor consists in discovering the best opportunity for applying it at any given production sectors and in establishing which part of the total demand for labor resources in those sectors which permit female labor can be satisfied by this application.

It would be useful to include in such plans issues concerning the distribution of labor resources as well as measures related to their training and retraining with regard to changing requirements of the national economy for women's labor. Sociological-economic research should help with this planning. It is extremely important for plans to be backed up by a program of socio-domestic measures inasmuch as they may contribute to changing the quality and quantity of female labor.

Improving the legislation concerning women's labor consists of ensuring the fullest possible correspondence between the nature and conditions of labor on the one hand and the specific and psycho-physical characteristics of women on the other hand; it must also provide for optimization of labor conditions, which make it possible to combine in the best way the labor in the public sector with motherhood and other family obligations.

There is every reason to think about compiling a list of positions and occupations which make preferential use of female labor. These lists can be compiled by the soviets of people's deputies with consideration for the demographic and economic structure of a given region. Lists of this kind, recommended to the administration of enterprises and institutions, could ease the lack of balance in the utilization of male and female labor, which exists in certain regions. For example, in the mining city of Vorkuta, there is a shortage of manpower in the mines at the same time that quite a few men are working in the service sphere, where they could definitely be replaced by women, who have difficulty finding work here.

A large influence on the size of labor resources, as well as on their quality, is exerted by legislation concerning labor, social insurance, pensions, health care, education, etc, and especially by the legal norms which are aimed at increasing the level of material well-being, and of the physical and spiritual development of citizens. We shall consider the most important of these norms in relation to the quantity and quality of labor resources.

The extent of labor resources is determined not by the size of the state's population, but rather by the number of citizens of working age, which depends on the upper and lower limits of working age, which are determined by law.

Article 74 of the Fundamental Legislation of the USSR and of the union republics concerning labor, defines the minimum working age of Soviet citizens as 16, and in certain circumstances 15 years of age. The law prohibits people from bringing into the sphere of labor activity those persons who have not reached

working age. The lower limit of the working age was established in law with consideration for the physical and intellectual level of adolescent development.

Today, in light of the process of acceleration and the labor shortage, there have been calls in the literature, including the widely read periodic press, and more and more frequent references to the need to expand opportunities to use the labor of adolescents who have reached their 15th birthday, and in certain cases, those who have reached their 14th birthday. The authors of these proposals argue that it would be advisable to use high school students in their last years to work in the service sphere during school holidays and during the year in certain circumstances, which would be strictly regulated by law.

The question of whether to use the labor of adolescents is not so much a matter of the worsening labor shortage as it is one of how to increase the role of labor education for adolescents, of making them acquainted with labor. And it is the adolescents themselves and their parents who are concerned to have moderate participation by adolescents in the working world: it is they who often appeal to the committee on the affairs of minors to allow a 14-year old to work but who are rejected because it is forbidden by law.

It should be remembered that adolescents, who for one reason or another have quit school before the age of 16 and who cannot (by law) be accepted for work, frequently swell the ranks of young offenders.

Thus, life frequently dictates the need for a reduction of the minimum working age specified in the law.

The paradox is that this limit, which has remained in the law unchanged since the adoption of the first Labor Code of 1918, is in fact being raised. A larger and larger number of young men and women are starting their working lives after they complete specialized secondary or higher education, i.e., when they are between the ages of 19 and 23. From year to year there is an increase in the number and proportion of the population of working age which is in school. Suffice it to say that during the period from 1959 through 1970 the number doubled.<sup>46</sup> The implementation of the 20 June 1972 decree of the CC CPSU and the USSR Council of Ministers "Concerning the Completion of the Transition To Universal Secondary Education of Youth and the Further Development of the General Education School,"<sup>47</sup> which called for mandatory 10-year education, increased the proportion of working-aged people engaged in studies; this reduced the extent of labor resources because with the start of compulsory schooling at age seven, it could not be completed before the age of 17 and adolescents begin working later than the age stipulated in the Foundations of Labor Legislation as the minimum working age.

In 1970, about 20 percent of eighth grade graduates (800,000 teenagers) went into the labor force, but in 1975 only 3 percent (less than 150,000) did. In 1975 97 percent of eighth grade graduates continued their studies in general education schools and in other educational institutions which provide secondary education.<sup>48</sup>

Without calling into question the correctness and timeliness of introducing compulsory 10-year education, there are grounds for doubting the wisdom of increasing the minimum working age from 16 to 17. A resolution of the contradiction between the legally established minimum working age and the opportunities to realize it can be found in amending the legal norm which establishes the age at which compulsory education begins for school children.

As is well known, compulsory instruction of children in the USSR began at age eight until 1943. An 8 September 1943 decree of the USSR Council of People's Commissars introduced compulsory instruction of children beginning at age seven, which continues to this day.<sup>49</sup> The rapid growth of the intellectual level of today's children, many of whom learn to read and write before they start school, often in kindergarten, makes it possible to put on the agenda--with the participation of educational and health care organs, of course--the issue of whether to lower the age of mandatory schooling for children from seven to six years of age. This kind of minimal school-starting age has been established in many foreign countries, and in a number of states it has even been reduced to five. If instruction is started at six, teenagers will finish a 10-year education at 16.

Shifting children to universal, compulsory schooling beginning at age six was discussed at the 26th CPSU Congress. "Create the preconditions for a gradual transition to instruction of children beginning at age six in preparatory classes of general education schools,"<sup>50</sup> the Basic Directions note.

To a certain degree the extent of labor resources and in even greater measure their quality depends on the upper, maximum limit of the age bracket which includes those capable of working, or more accurately, the working age.\* We have every reason to be proud of the fact that Soviet legislation stipulates a pension age which is lower than that in the capitalist countries; moreover, it is lower for both men and women. Soviet pensioners are very young. In accordance with Article 15 on the establishment and payment of state pensions<sup>51</sup>, the old-age pension for men begins at age 60 and for women at age 55. For blue- and white-collar workers who are engaged in heavy work or work under harmful conditions, the pension is granted under preferential circumstances: men receive it at age 50-55 years and women at 45-50 years; the pension is also granted on preferential terms to women who have given birth to and raised five or more children (Article 16 of the Regulations). The pension is granted for life, regardless of the person's ability to work (Article 23). Receipt of a pension does not mean the loss of the ability to work, but rather the acquisition of the right to lead a restful life, while receiving material support from the public funds.

Improvements in pension provisions and reductions in the pension age have as their result a sharp increase in the number of pensioners, and this, naturally cannot help but be reflected in the extent of labor resources.

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\* B. Ts. Uralis suggests that the pension age should be considered to be the non-working age, without calling it the "incapable of work" age because most pensioners are people who are capable of work.



We have in our country the means to give a job not only to all persons of working age but also to pensioners. Pensioners can be and are a substantial source of reinforcements for the labor force inasmuch as many of them are capable of working, do actually work and can work. According to data from the 1970 census, 4.5 million people (1.7 million men and 2.8 million women) were continuing to work beyond pension age in the USSR. According to the calculations of B. Ts. Urianis, (based on tables of life expectancy) men receive pensions for an average of 17 years at the present time and women an average of 25 years.

Improvements in the social welfare system and the legal position of pensioners in the USSR contribute to ever greater participation in the public production process on the part of people who reach pension age. This is a substantial source of labor resources for the national economy and it will facilitate the easing of the labor shortage, since the largest proportion of pensioners live in the republics with labor shortages. In 1965, 12.5 percent of old-age pensioners were employed in public production, while in 1975 the figure was already 24.3 percent. Of these people 90 percent received a full pension as well as their wages. Fifty-four percent of employees who were granted a pension on general grounds continued to work, while 72 percent who were granted a pension under preferential terms did so.<sup>52</sup>

The number of working pensioners can be significantly increased by improving the legal norms which regulate the conditions under which pensioners are employed: by expanding the right to retain all or part of the pension without remuneration for sick days; the right to work a shortened day or a reduced work week; the right to work at home; special rules to protect the labor of pensioners, taking into account their age and health status. Important incentives for enlisting the labor of pensioners were set down in the 11 September 1979 decree of the CC CPSU, the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers "Concerning Material Incentive Measures to Encourage Pensioners to Work in the National Economy."<sup>53</sup> It stipulates that working pensioners shall retain all or part of their pensions, as well as the most favorable possible working conditions for people of pension age; it will also substantially expand pensioners' interest in continuing to work in the national economy upon reaching pension age. In particular, the employee according to the decree, has the opportunity, upon reaching pension age to continue working in his old position, while supplementary work seniority, obtained after reaching pension age, gives him the right to a larger pension when he does retire. Under this system a person remains in his own labor collective and continues to perform his usual work.

Specialized research has shown that the reduction in work capacity of middle-aged people is linked not so much with a reduction in their skills so much as with a reduction in the intensity of their work. For this reason the legislation established that in order to use pensioners' labor more effectively enterprises have the right to employ people in the older age groups part-time.

In addition to material incentives to recruit the labor of pensioners, it is advisable to establish in law moral incentives as well; the practice of finding jobs for pensioners can be improved.

A substantial source of reinforcements for the labor force can result from efforts to recruit other people, especially women employed at home, for public production. This problem, like many other similar problems, requires a regional approach to its solution. In the republics which have a low birth-rate and, consequently, a low natural increase of labor resources, nearly all women who are of working age are engaged in studies or in public production. It is obvious that here a certain reduction in the rate of employment makes sense in order to increase the birthrate and that it would be advisable to incorporate this into the plan for the economic and social development of the republic (region).

In the republics of Central Asia and Trans-Caucasia, as the population census has shown, there is a high proportion of women who work inside the home; moreover, in the Central Asian republics there is a tendency for this proportion to grow. For example, in the Turkmen SSR the number of people engaged in homemaking amounted to 16.8 percent of the total labor resources in 1975, in comparison with 14.4 percent in 1971. And by the end of 1976 from 16 to 24 percent of all labor resources in Kirghizia, Turkmenia, Georgia, Armenia, Tajikistan and Azerbaijan were engaged in domestic and personal secondary economy.<sup>54</sup> The leaders of Gosplan in certain republics, Tajikistan in particular, in order to save themselves from the necessity of performing complex work on the utilization of existing labor resources, excluded mothers with many children (and in the Central Asian republics the majority of women have many children) from the indicators for labor resources, increasing in this way the level of employment of the republic's population.<sup>55</sup>

Freeing women who work inside the home and recruiting them for public production presupposes the solution of an entire complex of socio-economic and legal problems, including: expansion of women's right to work a reduced day or reduced work week, the right to work at home and improvement of vocational education. Recruiting women for public production requires the expansion of the network of preschool institutions for children and improvements in their operations. In his report to the 26th CPSU Congress L.I. Brezhnev specifically pointed to the need for expansion of this network and improvements in the operations of preschool institutions and schools with after-school daycare, etc.<sup>56</sup> in order to improve opportunities for combining productive work for women and motherhood. The resolution of this problem is urgent and in those republics with high levels of female employment, the number and quality of children's preschool facilities is far from answering the needs of all families.

Economists have made proposals worthy of attention regarding the use of VUZ and tekhnikum students who are in school full-time, as well as older high-school students, in the service industries, especially in busy periods. The labor legislation in this case should be supplemented by legal norms which determine the conditions for the use, duration and payment of such labor.

It is thought that the reserves for reduction in the losses of work time due to temporary work disability have not yet been exhausted. In this regard it is difficult to overestimate the significance of Article 42 of the 1977 USSR Constitution, which establishes the right of citizens to health protection. The constitution calls for the development and improvement of public health and safety measures, the implementation of broad preventive measures,

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the development of scientific investigations aimed at preventing and lowering disease rates and at ensuring that citizens have a long, active life.

There are grounds for agreeing with V.N. Danilenko on the inadvisability of the legislatively established procedure for granting unpaid leave for inability to work due to domestic trauma (five days) and abortion (10 days). A certificate of illness should be the only document which provides evidence of temporary inability to work and freedom from work.

At a time when the increase of labor resources is minimal, it is essential to reduce the labor deficit primarily through improvements in the rationality and utilization efficiency of existing resources. For this reason the 26th CPSU Congress set as one of the main tasks the raising of labor use efficiency and set out an entire complex of measures aimed at achieving this end.<sup>59</sup>

Saving labor is the most important aspect of the rational use of labor; this saving may take such forms as combining trades, performing the duties of absent employees, reducing the number of personnel while increasing production indicators, operating several machines simultaneously, establishing labor norms for hourly employees, eliminating rushes and slow downs in production and others. All these measures are being carried out in order to save human labor, and to increase the output of every employee, having created for him the conditions and opportunities for doing the work of several employees.

Let us examine more concretely certain of the forms of labor savings and the effect of the law on them. The combining of trades provides significant labor savings; however, it has not yet become widely used. One of the reasons for this is the inadequacy of the legal regulation. The combining of trades is still the object of strict legal regulation. Before 1965 the combining of trades was permitted only by the State Committee on Labor and the All-Union Central Trade-Union Council; subsequently this right was passed to the enterprises. But even now, if an organization does not enjoy the rights of an enterprise, then introducing the procedure for combining trades requires permission from the USSR ministry or the Council of Ministers of the union republic. Rather substantial limitations on combining trades exist for engineering and technical personnel and other white-collar employees. Under certain circumstances, combining trades may result in unfavorable consequences for the employee, for example, it may result in loss of the right to a preferential pension for old-age.<sup>60</sup> All these facts provide evidence of the need to improve the legal norms which regulate the opportunity to combine trades, and further, the 26th CPSU Congress pointed directly to the fact that one of the conditions for ensuring the growth of employees wages would involve improving skills and combining trades.<sup>61</sup>

Legal norms aimed at stimulating labor contribute to increasing labor effectiveness and labor savings; they include supplements and bonuses on top of wage rates and scales for combining occupations by scientific and technical personnel and other white-collar workers, for simultaneous operation of more than one machine, for the performance of duties of absent workers and other incentives for increasing the efficiency of human labor and saving it.

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Labor effectiveness depends largely on norming the work. Labor law is called upon to consolidate the procedure for establishing and reviewing the norms for labor, which would be beneficial to the enterprises, the employees and the state. Although the existing legislation grants to the enterprise sufficiently broad rights to review labor norms, these rights are still not utilized to the fullest extent.<sup>62</sup>

Freeing manpower by increasing labor productivity is one powerful way to optimize the use of labor resources. One of the legal methods for resolving this problem is to put into law norms which stimulate the concern of enterprises and institutions in freeing manpower as a result of technical progress and the scientific organization of labor.

It is still not uncommon for enterprises to be interested in hidden surpluses of manpower because inadequate labor intensity on the part of employees in a number of sectors makes it possible to produce a redistribution of manpower within the enterprise which is insupportable from the economic as well as the legal point of view. This is one of the reasons for the slow dissemination of the Shchekinskiy method of operating enterprises, which has proved its effectiveness: 326 enterprises in the USSR which operate according to the Shchekinskiy method have increased the volume of output which they can produce while lowering the total number of industrial-production personnel.<sup>63</sup>

Two factors will contribute to the broader application of this method: the legal establishment of the conditions for its use and the clarification of the functions of the appropriate ministries and departments in introducing it. On April 11 1978 the State Committee on Labor and Social Questions of the USSR Council of Ministers, USSR Gosplan, the USSR Ministry of Finance and the All-Union Central Trade Union Council approved the Procedure for the Application of the Shchekinskiy Method of Improving Labor Organization and Material Incentives.<sup>64</sup>

However, this document does not resolve many important issues. It is inevitable that in addition to general problems, more specific problems will arise. For example, who should ensure job placement for citizens who have been let go? Clearly, the resolution of this problem should come under the jurisdiction of the local organs for the use of labor resources, who should be given the opportunity to learn in good time about the number of employees being laid off, their education, vocational training, age, sex, conditions for transfer to another job, etc.

As a result of the fact that laid-off workers, both blue- and white-collar, cannot always be placed in jobs in the same field or requiring the same skills, it is necessary to have legal guarantees they will be provided for materially not only while they are being placed in jobs but also during a period of necessary retraining. It is obvious that there must be discussion of how to organize a centralized system for the training and skill upgrading of laid-off workers and to determine the authority of the various state organs in resolving this problem.

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It is advisable to establish more concretely in the law incentives for laying off employees, and specifically to stimulate the material interest of the labor collective in freeing manpower by granting greater rights to directors of enterprises and institutions, to the heads of assembly lines and department heads in the distribution of obtained wage savings to other members of the collective. In order to limit the growth of the number of blue- and white-collar workers employed in oblasts which are experiencing an acute labor shortage, the oblispolkoms should be granted the right to establish by process of elimination the maximum limits for the number of employees for enterprises located within the oblast.

The decisions of the 26th CPSU Congress are aimed at this kind of approach to the problem. They say: "In the European part of the USSR and in the Urals the further development of industry should be accomplished mainly without increasing the number of employees."<sup>65</sup>

Reducing the number of people employed in agriculture would help to free agricultural enterprises from functions which are not natural for them, including the provision of material and technical supplies, the sale of products, construction, repair of equipment, etc. These functions would be transferred to the appropriate sectors of the national economy (to industry, transport, trade, etc.).

According to data from Gosplan USSR the number of blue- and white-collar workers in total for the plans of enterprises exceeds the estimated by 1.5-2 million people; this creates a formal shortage of manpower and increases labor turnover<sup>66</sup> (one of the forms of nonrational migration). The need arises not only for more careful planning, but possibly for introducing legal responsibility for overstating the number of blue- and white-collar workers.

The problem of increasing the effectiveness of labor resource utilization is directly linked to the rationalization of the use of working time. Many enterprises and organizations still have large losses of working time due to infractions of labor discipline, and the participation of blue- and white-collar workers in meetings, study sessions, sports competitions during working hours.

Not the least of those factors which influence the violation of labor discipline is drunkenness. About half of the absenteeism and other infractions of working conditions at enterprises are the result of a predilection for alcohol. According to the data from a number of sociological investigations, labor productivity at enterprises is reduced by 20-30 percent on Monday after holidays and paydays. Total elimination of drunkenness would increase labor productivity by about 10 percent.<sup>67</sup> A 19 June 1972 ukase of the Presidium of the RSFSR Supreme Soviet "Concerning Measures to Increase the Struggle Against Drunkenness and Alcoholism"<sup>68</sup> and corresponding ukases of the presidiums of the Supreme Soviets in the other union republics grant to enterprises broad rights to combat this evil. However, by no means do the management and public organizations in all places use to the fullest extent possible the means granted to them for influencing people who abuse alcoholic beverages. One way to resolve this issue is to improve the legal norms which regulate labor conditions, as well as the ways in which they operate.

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A serious obstacle to the rational use of existing labor resources is personnel turnover, which results in the loss of a large number of man-days. An important role in keeping personnel is played by the public personnel departments, which work with the trade unions to eliminate individual reasons for dismissal. Local legal acts, adopted by management and FZMK /Factory-plant or local committee/ are aimed at reducing personnel turnover; they include, for example, a collective agreement containing a special section on improving labor conditions and a number of other legal acts. In order to reduce personnel turnover it is advisable to extend to workers and white-collar employees the right to supplements for length of service, beginning with three-years of uninterrupted tenure at one enterprise or organization; moreover, it is to be taken into account not only when paying the yearly bonus payment. For the same purpose, and also to reduce the time spent on job placement for citizens it is advisable to create a single information-inquiry system regarding the needs of enterprises and organizations for manpower; this system would use modern means of communication and information processing. In short, it is necessary to have a system of legal measures, which include improvement in the entire complex of socio-economic conditions and a stronger role for the labor collectives in the struggle to increase personnel stability and reduce staff turnover.

Other social factors also have an important role to play in keeping personnel at their positions. For example, one of the reasons for personnel turnover, especially in labor-short areas, is dissatisfaction with housing or social conditions, or public facilities, this often results from delays in implementing plans for the development of the infrastructure. The 25th CPSU Congress noted that not all enterprise managers gave the necessary attention to improving living and working conditions of blue- and white-collar workers. "It is necessary," said L.I. Brezhnev, "to provide strict monitoring to ensure that resources for the social development of enterprises, cities and villages is used exactly as specified, fully and within the established time period. Local reports on the opening of new industrial facilities usually do not indicate what has been done for those who will work there, that is, how much housing has been built, how many kindergartens, libraries and dispensaries there are. Let us agree to consider such reports as operational only if the program of housing and public construction specified by the plan for that facility has been fulfilled as well."<sup>69</sup>

Another important task is the search for effective legal measures capable of preventing ministries and agencies from allowing delays in the opening and operation of housing, personnel training facilities, children's facilities and other social and public facilities relative to the deadlines for the opening of production facilities. Another step which would contribute to a reduction in personnel turnover and an easing of the labor shortage would be to grant to oblast organs the authority to veto the construction (at any stage) and development of industrial enterprises within their oblast, if this construction and development is not accompanied by the appropriate development of the infrastructure. At present not one single enterprise receives permission for construction (the ispolkom does not give permission to obtain the land) if the plan does not include measures for development of the infrastructure. But it is well known that ministries and agencies, once they have obtained approval for the plan, often throw all their strength behind the

fulfillment of the plans for the construction of the production unit, without giving the necessary attention to the plans for the development of the infrastructure. Granting the right of veto to the ispolkoms will undoubtedly play an important role under such circumstances in ensuring the fulfillment of the plans for socio-cultural and residential-public service construction in a given area. This proposal is completely in accordance with the idea expressed in the constitution--of strengthening the role of the local soviets and of expanding their rights.

With regard to realization of this constitutional idea, support should be given to a proposal, mentioned in the press, to the effect that the oblast soviet should be granted the right to include in its budget up to 10 percent of the above-plan profits from enterprises and economic organizations which come under union and republic jurisdiction; these funds would be used to expand the socio-cultural construction in the oblast, including the countryside.<sup>70</sup> On the one hand, this right will increase the interest of the local soviets in increasing the thrift, effectiveness, the profitability and growth of profits made by enterprises and organizations located within the area of the soviet, and, on the other hand, it will expand the soviets' potential to develop the infrastructure, which, in turn, will lower the outflow of migrants and ease the labor shortage.

A proposal by M.I. Piskotin concerning expansion of the rights of localities to ensure the comprehensive development of the territory deserves support.<sup>71</sup> It is necessary to relieve the top of the need to consider issues which can be resolved locally; this is particularly applicable to the problem of preparing and distributing personnel.

The literature contains frequent references to the fact that personnel turnover and non-rational migration can be the result of disproportionate, unbalanced development of cities with an overwhelming number of "male" or "female" enterprises, cities of textile workers, for example, who are usually women. It is clear that there is now a need for legislation to make it mandatory for ministries and departments which are building enterprises of this kind to link their construction plans to the demographic situation in the republic or the rayon of construction, ensuring opportunities for the optimal use of both male and female labor.

On 4 October 1980 Gosplan USSR approved the methodological directives on the development of the system for the development and distribution of production forces, which calls for the siting of production forces with consideration for labor resources based on demographic calculations.<sup>72</sup>

The turnover of agricultural personnel can be explained by the effect of various economic and legal factors, which at first glance have no relation to this phenomenon. As an example one can cite the norms which establish the purchase prices for various agricultural products. If the price for a crop which is dominant in a given area is not high enough to compensate for the expenses of production, this is inevitably reflected in the incomes of farms and workers. Under certain conditions a factor of this kind may become a sufficiently strong stimulus for the migration of working people to other regions of the country which are more favorable in this regard.

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The need to implement measures to keep personnel in their jobs and to lower the turnover of manpower were noted in the decisions of the 26th CPSU Congress.<sup>73</sup>

The non-rational distribution of labor resources throughout the national economy constitutes a serious problem. For example, a significant portion of the young people in the republics of Central Asia and Trans-Caucasia remains to work in agriculture, where there are even without these people reserves of manpower, at the same time that the shortage of industrial workers in these areas, especially in the republics of Central Asia, is eased due to newcomers from regions which are experiencing inadequate labor resources.

Naturally, regional problems of labor resources, like other demographic problems, must be solved in a differentiated manner. In particular, the easing of the shortage of labor resources requires the elaboration of economic and legal norms, which ensure an accelerated rate of socio-economic development for those regions, which are short of working hands, in order to ensure that the level of wages, the opportunities to increase income as well as improve living conditions are no worse in the labor-short regions than they are now but are rather higher than they are in the labor-surplus regions. For this reason the 26th CPSU Congress decisions called for the introduction of rayon coefficients for the wages of blue- and white-collar workers<sup>74</sup>; with regard to the Non Black Earth Zone they pointed to the need to build at an accelerated pace residential buildings, car roads, socio-cultural and public service facilities.<sup>75</sup>

Among the top-priority economic-legal measures which are capable of optimizing the demographic situation in labor-short regions, one can name the introduction of preferential tariffs for transportation, everyday and public services, supplements for wages depending on length of service, and forced construction of residential accommodation. The question of higher norms for the proportion of profits to be allotted for socio-cultural measures and the material incentive fund in given regions must be studied. In short, the greater the shortage of labor there is in a region or union republic, the higher must be the rate of socio-economic development incorporated into the program.

In this regard it is difficult to agree with the scientists from the Uzbek SSR, who suggest that the accelerated rate of socio-economic development must not only be retained in the labor-surplus regions of Central Asia, it must even be increased. They see the only opportunity for employing the rapidly growing population of Central Asia in programs to increase the number of jobs, especially in the villages of Uzbekistan, where the size of the population is growing with particular speed, and they conclude that "the rate of economic growth in Uzbekistan will continue to be rapid in the future."<sup>76</sup>

In this case the authors have digressed from the constitutional provision that the USSR economy constitutes a single national economic complex, which encompasses all the sectors of production, including labor resources within the country (Article 16). Spending enormous amounts of capital investment on the creation of a large number of new jobs just to employ the labor-surplus population of certain regions while there are labor shortages in other regions is at the very least inadvisable.



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The reduction in the quantitative growth of labor resources can and must be compensated for by an improvement in their quality, by a general increase in the level of skills, and by improved preparation for socially useful work by young people. Improving the level of education and skills not only compensates for a reduction in the quantitative increase in the population, it also eases social migration, the transition from one social group to another. Further, it should be kept in mind that in social migration, as in territorial migration, it is possible to have non-rational trends, for example the transition of an engineer or research officer into blue-collar workers because of inadequacies in the norms which regulate payments for labor.

The foundations for the legal regulations to increase the level of education and skills of the population, to improve the quality of labor resources are established in the norms of constitutional law. The constitution contains a number of articles which provide for the development of general and specialized education of the population. The importance of these articles is indisputable as a result of the urgency of the qualitative aspects of the development of labor resources, aspects which have grown under conditions of the scientific-technical revolution. This applies primarily to the constitutional provision for growth in the level of the general and vocational education of the population.

The constitution establishes the right of citizens to receive an education; this is ensured by free tuition for all types of education including higher education, as well as by the implementation of universal, compulsory education at the secondary level for young people, and by the broad development of vocational-technical, specialized secondary and higher education on the basis of an organic link between instruction and life or production; by the development of correspondence and night-school education, by the granting of state stipends and benefits to students; by free school textbooks, by the opportunity to receive school instruction in one's native language and by the establishment of the conditions for self education (Article 45).

If by the term education we understand not only systematic instruction, oriented toward mastering a certain body of knowledge, but also the upbringing of members of society, the acquisition by them of certain skills, habits and norms of behavior,<sup>77</sup> then it should be acknowledged that not only Article 45, but other articles of the Constitution as well, have a direct relation to the right of citizens to receive an education. For example, Article 40, which declares the right of citizens to labor, indicates that this right is ensured by free vocational education, by measures to raise labor skills and instruction for new specialists, by the development of a system of vocational orientation. Article 46 declares the right of citizens to enjoy the achievements of culture, and emphasizes that this right is ensured by universal access to the treasures of domestic and world culture which are held by the state and social funds; by the development of cultural-educational institutions, television and radio, book publishing and the periodic press, by the network of free libraries, by the expansion of cultural exchanges with foreign countries.

The constitution guarantees to citizens the freedom of scientific, technical and artistic creation; this is ensured by the widespread development of scientific research and work to invent and improve new production methods,

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as well as the development of literature and art (Article 47). These articles testify to the constitutional guarantees of free and comprehensive spiritual and intellectual development of the individual and people as a whole.

In addition to the constitution, the legal norms concerning education, both general as well as vocational, are contained in legislation concerning public education and in labor legislation. For example, Article 2 of the Fundamental Legislation Concerning Labor declares the right of blue- and white-collar workers to free vocational training and and skill upgrading; articles 84 and 85 call for a broad system of benefits for employed students; this contributes to a great savings in human labor; articles 184-200 of the Labor Code of the RSFSR provide blue- and white-collar workers with the conditions to obtain theoretical, specialized economic knowledge and knowledge of other types.

Every year the ranks of the employed population are increased by people with an ever higher level of education. In 1959, the average worker had attended six years of school, while in 1970 this indicator had increased to 8.4 years, and in a number of industrial sectors this indicator was approaching 10 years among the workers in certain some important fields.<sup>78</sup>

In his report to the 26th CPSU Congress L.I. Brezhnev emphasized that at present three-fourths of the workers have a secondary (complete or incomplete) or higher education, and that there has been significant improvement in the vocational training of the younger generation of the working class.<sup>79</sup>

At the present time a good system has developed for the training and upgrading of the skills of personnel employed at many industrial enterprises, in construction and agriculture. Schools have been established to teach advanced work methods, and they enroll about 3 percent of the total number of industrial workers; a significant role is also played by courses to teach workers allied trades. The system of vocational instruction for personnel is of great interest; it opens up for young people the prospects of growth, and it contributes to the stabilization of personnel.

With the introduction of compulsory 10-year education the role of the school in the labor upbringing of young people has increased. The 22 December 1977 decree of the CC CPSU and the USSR Council of Ministers "Concerning Further Improvement in the Instruction and Upbringing of Pupils in General Education Schools and Their Preparation for Work"<sup>80</sup> points out the need for a decisive turn around by the secondary school toward labor upbringing and education, to the formation of an informed attitude toward the choice of a vocation by young people and toward the mastery of work skills in the chosen field of work. The strengthening of programs to train and orient young people vocationally while they are still in school, as stipulated by this decree, has great significance inasmuch as the overwhelming majority of school graduates go to work.

The proposal of S.A. Ivanov should meet with agreement; he refers to the need to improve certain legal norms, which regulate the vocational training and retraining of personnel. According to existing legislation, for example,

workers who have finished production training, including those at evening vocational and technical schools, and who have attained the necessary skill level are offered work in accordance with the qualification obtained and the rank accorded (See 186 of the RSFSR Labor Code). But for a worker who has completed higher education or specialized secondary education while working, the qualification which was obtained can only be taken into account for advancement within the service (Article 83 of the Fundamentals of Legislation Concerning Labor), and this can hardly be justified.

Speeding up the process of raising the educational level of the population presupposes a need to improve the structure of the training for specialists by bringing this training more in line with the personnel needs of the national economy and the region (in cases where the training is not conducted in Russian). In particular, the literature contains references to the fact that Soviet engineers, the total number of which is more than three-fold greater than the number in the USA (while the output of engineers is five-fold greater than in the USA)<sup>82</sup>, spend 30 to 60 percent of their working time on duties which do not require higher or sometimes even secondary education.<sup>83</sup> As a result, the time and resources spent on training engineers do not entirely justify themselves. There is a similar situation with highly qualified specialists in other fields. However, sometimes engineering functions are brought down to a level at which the people dealing with them do not have engineering or any special training at all, and this substantially holds back the development of technical progress. Both are typical instances of non-rational social migration. This takes place frequently because there are many unresolved problems in wage and salary issues.

While there is a shortage of labor resources, it is not rational to spend the resources and extended time period on training an engineer and then use him as a technician or worker. The legal norms which regulate the use of highly-qualified specialists must be improved by defining more clearly the conditions under which highly-qualified specialists must perform work in all cases which is appropriate to their education. The specialist must not only possess the knowledge, but must apply it.\* The law must establish the criteria for the limits to be observed in applying the labor of employees in a given profession depending on the level of their training. It is essential to increase the legal responsibility of the management of enterprises, institutions and organizations for the utilization of personnel in accordance with their education.

Now, when illiteracy has been eliminated in our country and mandatory complete secondary education has been introduced, the number of specialists with higher education per capita is an important indicator of the qualitative development of the population in the USSR and in its constituent republics. In 1970 the number of persons with higher education increased (in comparison with 1939) 5.3-fold in the USSR, including 4.9-fold in the RSFSR, 5-fold in the Ukrainian SSR

\*As M.I. Skarzhinskiy writes: "A person who is trained as an engineer but does not perform the duties of an engineer, inevitably loses his skills; research has established that every year he loses approximately 10 % of his skills." See Skarzhinskiy, M.I. "Kvalifikatsiya i trud inzhenera," p. 80.

8.2-fold in the Turkmenian SSR, 9-fold in the Uzbek SSR, 9.7-fold in the Tajik SSR, and 11.7-fold in the Kirghiz SSR.<sup>84</sup> If the union republics are arranged on a descending scale of the number of persons with a higher education among the urban population, the picture will be as follows: in 1970 for every 1,000 persons above the age of ten with higher education:<sup>85</sup>

Republic	Urban	Rural
Georgian SSR	121	27
Armenian SSR	89	16
Azerbaijan SSR	70	14
Belorussian SSR	66	12
Moldavian SSR	66	11
Latvian SSR	65	14
Estonian SSR	63	18
Ukrainian SSR	63	11
Uzbek SSR	62	18
Lithuanian SSR	61	8
RSFSR	61	14
Kirghiz SSR	58	19
Kazakh SSR	51	17
Tajik SSR	51	14
Turkmen SSR	48	17

The RS SR, which in prerevolutionary times had one of the highest levels of education, now has one of the lowest rates despite the fact that it has within its area the USSR Academy of Sciences, numerous scientific-research institutes of national significance, as well as VUZ's which train specialists with higher education for all the union republics. It is curious that the 1970 all-union census data show that the proportion of city dwellers over 60 who had higher education is high in the RSFSR: only the Georgian and Armenian republics exceeded the level of the RSFSR for this indicator. With each younger generation the RSFSR is giving way to a larger number of republics, and it is in last place for the proportion of young people in the 20-29 year age bracket who have higher education, leaving behind by an insignificant margin only the Ukrainian and Kirghiz republics.<sup>86</sup> According to data from the 1979 all-union census, the number of people with secondary or higher education per capita of the employed population is lower than the union-wide indicator in the RSFSR, the Baltic republics, the Belorussian and the Moldavian republics, while the republics of Trans-Caucasia and Central Asia are above the national indicator.<sup>87</sup> The level of higher education is higher for the indigenous population than it is for the non-indigenous.

The figures cited above provide evidence of the effectiveness of the benefits and privileges established by the state and by the law to ensure a rapid rate of socio-cultural development in previously backward peoples. But at the same time they speak of the need which exists under present conditions to observe very strictly the constitutional principle of equal rights of citizens among all spheres of economic, social, political and cultural life, regardless of nationality, as well as the constitutional provision that a union republic is the state of all the nationalities and ethnic groups that

populate it and that the USSR embodies the unity of the entire Soviet people, and brings together all the nationalities and ethnic groups for the joint building of communism. It is important to avoid the threat of the creation of a new inequality between nationalities.

The territorial distribution among the regions and union republics of specialists with higher education is not adequate to the development requirements of the economic regions. Regions such as the Western Siberia and Eastern Siberia, which are important from the viewpoint of economic potential, have proved to be provided with specialists possessing higher education at a rate which is one-half that of the Transcaucasian economic rayon.

A change in certain legal norms which regulate relations in the sphere of public education would contribute to the optimization of migratory currents and to the more rational use of labor resources. In particular, attention has been devoted frequently to the fact that the use of surplus labor from the villages of Central Asia is complicated by the language barrier, the inadequate knowledge of the Russian language. The Foundations of Legislation of the USSR, and the union republics concerning public education, which was adopted in 1973, contains Article 20, entitled "Language of Instruction," which says: "Pupils in the general education school are granted the opportunity to receive instruction in their native language or in the language of another people of the USSR. Parents or people substituting for them, have the right to choose for the children according to their wishes a school with the corresponding language of instruction. In addition to the language of instruction, pupils, if they desire (emphasis mine--G.L.) may study the language of another USSR people."<sup>88</sup> The last part of this article (the previous legislation did not have this) also applies to the Russian language, which the law suggests may be studied but does not have to be, depending on the desire of the pupil.

A paradoxical situation is created: a pupil does not receive a school leaving certificate if he has not mastered to the necessary degree English, German or another foreign language, because the study of a foreign language is mandatory but the study of Russian is not mandatory, although it is considered compulsory in the schools of a number of foreign countries.

Two different rights have obviously been mixed up here: the right of citizens to have their children instructed in their native language--that is indisputable, and the right to determine a program of instruction, whether a given subject shall be compulsory or optional. This right belongs to the state and not to individual citizens. In contrast to the languages of the other peoples of the USSR, the Russian language has broader social functions. It is not only the language of a nationality, but it is still the language of communication between nationalities as well as an international language (one of the official UN languages, the language of CEMA, etc.)

Given the shortage of labor resources and the non-rational nature of a significant portion of the territorial and social migration, it has become obvious that there is a need to strengthen the use of planning in resolving problems related

labor resources, including issues of territorial and industrial allocation of labor. A great deal of attention was devoted to this issue at the All-Union Scientific and Practical Conference on Labor Resources, organized in 1978 by the USSR State Committee on Labor and the USSR Academy of Sciences.<sup>89</sup>

Strengthening the use of planning principles in the management of labor resources will provide a large benefit in combination with measures to monitor the use of manpower. The monitoring functions were formerly carried out by labor organs, but they amounted, as a rule, to episodic checks on individual issues, and they were carried out by various organs without the necessary coordination.

At present the monitoring functions have been entrusted to the USSR State Committee on Labor and Social Questions, the republic committees on labor and their local organs; the latter have been given responsibility for finding reserves within production units, industries and the territory under their jurisdiction to increase the effectiveness of manpower utilization, as well as to develop proposals to put them into practice.

The organizational principles, the jurisdiction and the function of the monitoring have been defined by the Temporary Regulation Concerning State Monitoring of the Use of Manpower, which was approved by the State Committee on Labor on 12 September 1978.<sup>90</sup> According to the regulation, the labor organs check on the activity of enterprises, organizations, ministries and agencies with regard to the rational use of labor resources, the correspondence between the number of blue- and white-collar workers and the number specified by the plan, as well as the norms. The organs also check on the plans for social development of the collectives, also on how the labor of women, pensioners and young people is being utilized and on which measures are being taken to reduce personnel turnover and the stabilization of labor collectives.

Thus the development of labor resources and their extent are influenced by the norms which come from the most varied types of legislation: from labor and kolkhoz legislation, from legislation concerning health care, pensions and other factors. The effect of these norms is interlocking and at times it may have a secondary result which is not always desirable. For example, the legal norms which are aimed at improving the quality of labor resources, and the level of their education and skills, can lead to a reduction in the working age. Bringing women into public production on a broad scale, which is ensured by the constitutional principle of the equal right of men and women to work and its remuneration, meets social interests and contributes to the increase in the extent of available manpower, but it can influence the birthrate and the level of future labor resources. For this reason, when improving legal norms which influence the quantity or quality of labor resources, it is essential to take into account both their direct effect and their indirect--sometimes negative influence--keeping in mind not only the immediate goals and results, but also the possible future consequences. At the present stage the process of improving legislation which one way or another influences the development of the national's economy, including its labor resources, requires ever broader cooperation among legal experts and economists.

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